



The Chemical Company

Helping Make  
Products Better™

June 8, 2011

Mr. William J. Reilly, Jr.

Office of the Regional Counsel  
US Environmental Protection Agency, Region 2  
290 Broadway, 17<sup>th</sup> Floor  
New York, NY 10007  
**CERTIFIED MAIL # 7008 0500 0002 0604 6204**

Ms. Marissa Truono  
Removal Action Branch  
US Environmental Protection Agency, Region 2  
2890 Woodbridge Ave, Bldg 209  
Edison, NJ 08837  
**CERTIFIED MAIL # 7004 2510 0001 1560 6754**

**RE: Riverside Avenue Site, Newark, Essex County, New Jersey  
BASF Catalysts, LLC Response to April 8, 2011 Request for Information**

Dear Mr. Reilly and Ms. Truono:

Enclosed please find BASF Corporations' response to the referenced Request for Information.

This will further confirm that BASF was granted an extension to respond to June 9, 2011.

Very truly yours,

Caroline S. Hudson  
Legal Assistant Sr.

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RECEIVED



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**BASF Corporation Responses on behalf BASF Catalysts, LLC to the  
Request for Information re Riverside Avenue Site, Newark, Essex County, New Jersey**

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**Preliminary Statement  
Corporate History**

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Minerals & Chemicals Philipp Corporation was incorporated in 1916 as Minerals & Chemicals Corporation of America. It changed its name as a result of a merger with Philipp Brothers, Inc. and Philipp Brothers Ore Corporation in 1960.

Engelhard Industries Inc. was incorporated in Delaware in 1960 to receive various operations and properties which had been previously controlled by the Engelhard family.

In 1967 Engelhard Minerals & Chemicals Corporation ("EMC") formed as a merger of Minerals & Chemicals Philipp Corporation (MD) into Engelhard Industries Inc (DE).

In 1981 EMC spun off its chemicals businesses by contributing it to its wholly-owned subsidiary, Porocel Corporation (incorporated in Delaware in 1938) and then spinning it off into another publicly traded company. Porocel changed its name to Engelhard Corporation at the time of the spin off. EMC retained its trading businesses and changed its name to Phibro Corporation. Thereafter it engaged in a variety of reorganizations, and later became Salomon Inc.

Through a merger transaction effective June 9, 2006, Engelhard Corporation became a member of the BASF Group; through several intermediate holding companies, it is a wholly owned subsidiary of BASF Corporation. As of August 1, 2006, Engelhard Corporation was converted, under Delaware law, to a limited liability company under the name of BASF Catalysts LLC.

BASF Corporation ("BASF") is responding on behalf of BASF Catalysts, LLC.

BASF has requested, but not yet received the nexus documents that allegedly show a relationship between BASF Catalysts, LLC and the Site. To date BASF has not found any information that responds to these requests.

**ATTACHMENT B**

Answer the following questions with regard to the property and buildings numbered 7/8 and 12 located at 1700-1712 & 1702-1716 McCarter Hwy also known as 29 Riverside Avenue (Block '614, Lots 63,64), Newark, Essex County, New Jersey (the "Site"). For each response be specific as the building number(s) and/or the Block and Lot number(s) whenever possible.

**A. Questions**

1. Answer the following questions regarding your Company. In identifying a company that no longer exists, provide all the information requested, except for the agent for service of process. If your Company did business under more than one name, list each name.
  - a. State the correct legal name and mailing address of your Company.

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**BASF Corporation Responses on behalf BASF Catalysts, LLC to the  
Request for Information re Riverside Avenue Site, Newark, Essex County, New Jersey**

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**Response to 1.a.**

BASF Catalysts, LLC  
25 Middlesex/Essex Turnpike  
Iselin, NJ 08830

- b. State the name and address of the president or the chairman of the board, or other presiding officers of your Company.

**Response to 1.b.**

Frank Bozich, EVP & Pres Global Catalysts Div  
BASF Catalysts, LLC  
25 Middlesex/Essex Turnpike  
Iselin, NJ 08830

- c. Identify the State and year of incorporation of your Company and your Company's agent for service of process in the state of incorporation and in New Jersey.

**Response to 1.c.**

The agent for service of process for BASF is CT Corporation. See Preliminary Statement Corporate History

- d. If your Company is a subsidiary or affiliate of another Company, or has subsidiaries, or is a successor to another Company, identify these related companies. For each related Company, describe the relationship to your Company and indicate the date and manner in which each relationship was established.

**Response to 1.d.**

See Preliminary Statement Corporate History.

- 2.a. During the period from January 1, 1970 to December 31, 1999, did your Company ever enter into any transaction(s), including any contract(s), with any of the following persons/companies pursuant to which your Company provided any drums, containers or industrial waste to any of the persons/companies named below? (Please provide a Yes or No answer as to each):

1. Universal International Industries, Inc.
2. Jobar Industries, Inc.
3. Jobar Packaging, Inc.
4. Frey Industries, Inc.
5. Mr. Tilghman Frey

**Response to 2.a.1, 2.a.2, 2.a.3., 2.a.4. and 2.a.5**

During its investigation of the period from January 1, 1970 to December 31, 1999, BASF discovered no information that demonstrates there were any transaction(s) between BASF Catalysts, LLC and any

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**BASF Corporation Responses on behalf BASF Catalysts, LLC to the  
Request for Information re Riverside Avenue Site, Newark, Essex County, New Jersey**

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of these entities.

BASF recognizes it has a continuing obligation to provide all relevant information. BASF is continuing its internal investigation, and will supplement these responses, if additional information becomes available.

- 2.b. During the period from January 1, 1970 to December 31, 1999, did any of the following companies ever remove any industrial waste from any facility which was ever owned or -operated by your Company? (Please provide a Yes or No answer as to each company below):
1. Universal International Industries, Inc.
  2. Jobar Industries, Inc.
  3. Jobar Packaging, Inc.
  4. Frey Industries, Inc.

**Response to 2.b.1., 2.b.2, 2.b.3. and 2.b.4.**

During its investigation of the period from January 1, 1970 to December 31, 1999, BASF discovered no information that demonstrate that any of these entities ever removed any industrial waste from any facility which was ever owned or operated by BASF Catalysts, LLC.

BASF recognizes it has a continuing obligation to provide all relevant information. BASF is continuing its internal investigation, and will supplement these responses, if additional information becomes available.

- 2.c. During the period from January 1, 1970 to December 31, 1999, did any of the following companies ever remove any drums or containers having in it any product, off-spec product or any liquids, solids or sludges from any facility which was owned or operated by your Company? (Please provide a Yes or No answer as to each company below):
1. Universal International Industries, Inc.
  2. Jobar Industries, Inc,
  3. Jobar Packaging, Inc.
  4. Frey Industries, Inc.

**Response to 2.c.1., 2.c.2, 2.c.3 and 2.c.4.**

During its investigation of the period from January 1, 1970 to December 31, 1999, BASF did not discover any information that suggests that any of the companies listed above ever removed any drums or containers having in it any product, off-spec product or any liquids, solids or sludges from any facility which was owned or operated by BASF Catalysts, LLC.

BASF recognizes it has a continuing obligation to provide all relevant information. BASF is continuing its internal investigation, and will supplement these responses, if additional information becomes available.

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**BASF Corporation Responses on behalf BASF Catalysts, LLC to the**

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**Request for Information re Riverside Avenue Site, Newark, Essex County, New Jersey**

- 2.d. During the period from January 1, 1970 to December 31, 1999, did your Company ever arrange with any of the following companies to remove or receive or store i) any drums, packages, tanks or containers or ii) any product or off-spec product or iii) liquids, solids or sludges that originated at any facility which was owned or operated by your Company? (Please provide a Yes or No answer as to each company below):

1. Universal International Industries, Inc.
2. Jobar Industries, Inc,
3. Jobar Packaging, Inc.
4. Frey Industries, Inc.

For every Yes answer provided in response to question noted in 2.c. through 2.d., above, provide the basis for responding Yes to the question and the following, as applicable: a) the times, dates and facilities and person(s) involved and b) the nature, quantity and chemical composition of the material which was transported from your Company to the Site.

**Response to 2.d.1. 2.d.2., 2.d.3 and to 2.d.4.**

During its investigation of the period from January 1, 1970 to December 31, 1999, BASF did not discover any information that suggests that BASF Catalysts, LLC arranged with these companies to remove or receive or store i) any drums, packages, tanks or containers or ii) any product or off-spec product or iii) liquids, solids or sludges that originated at any facility which was owned or operated by BASF Catalysts, LLC.

BASF recognizes it has a continuing obligation to provide all relevant information. BASF is continuing its internal investigation, and will supplement these responses, if additional information becomes available.

3. Do you have any reason to believe that any of the following may have been transported from any facility which was ever owned and/or operated by your Company and later taken to the Site:
- a. any hazardous substance?
  - b. any liquids, solids or sludge?
  - c. any solid waste of any type?
  - d. anything which was to be stored or treated and later returned to your Company?
  - e. any product or off-spec product which was to be treated and later returned to your Company or shipped to a third party on behalf of your Company?
  - f. any containers, regardless of contents or lack thereof?
  - g. any drums, regardless of contents or lack thereof?

Please provide a separate Yes or No answer to questions 3.a. through 3.g, above, For each Yes answer, please provide the specific basis for your answer, including the materials that you believe may have been transported from your Company to the Site, including chemical characterization, quantities {by volume and/or weight}, number of drums or containers etc., the facility from which the material was removed, the hazardous substances in such materials, the personnel and/or haulers involved in each such shipment, the dates of such shipments and all records relating to such shipments.

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**BASF Corporation Responses on behalf BASF Catalysts, LLC to the  
Request for Information re Riverside Avenue Site, Newark, Essex County, New Jersey**

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**Response to 3.a.**

During its investigation of the period from January 1, 1970 to December 31, 1999, BASF did not discover any information that suggests that BASF Catalysts, LLC may have transported from any facility that was ever owned or operated by BASF Catalysts, LLC and later taken to the Site any hazardous substance.

BASF recognizes it has a continuing obligation to provide all relevant information. BASF is continuing its internal investigation, and will supplement these responses, if additional information becomes available.

**Response to 3.b.**

During its investigation of the period from January 1, 1970 to December 31, 1999, BASF did not discover any information that suggests that BASF Catalysts, LLC may have transported from any facility that was ever owned or operated by BASF Catalysts, LLC and later taken to the Site any liquids, solids or sludges.

BASF recognizes it has a continuing obligation to provide all relevant information. BASF is continuing its internal investigation, and will supplement these responses, if additional information becomes available.

**Response to 3.c.**

During its investigation of the period from January 1, 1970 to December 31, 1999, BASF did not discover any information that suggests that BASF Catalysts, LLC may have transported from any facility that was ever owned or operated by BASF Catalysts, LLC and later taken to the Site any solid waste of any type.

BASF recognizes it has a continuing obligation to provide all relevant information. BASF is continuing its internal investigation, and will supplement these responses, if additional information becomes available.

**Response to 3.d.**

During its investigation of the period from January 1, 1970 to December 31, 1999, BASF did not discover any information that suggests that BASF Catalysts, LLC may have transported from any facility that was ever owned or operated by BASF Catalysts, LLC and later taken to the Site

BASF recognizes it has a continuing obligation to provide all relevant information. BASF is continuing its internal investigation, and will supplement these responses, if additional information becomes available.

**Response to 3.e.**

During its investigation of the period from January 1, 1970 to December 31, 1999, BASF did not discover any information that suggests that BASF Catalysts, LLC may have transported from any facility that was ever owned or operated by BASF Catalysts, LLC and later taken to the Site any product or off-spec product which was to be treated and later returned to BASF Catalysts, LLC or shipped to a third party on behalf of BASF Catalysts, LLC.

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**BASF Corporation Responses on behalf BASF Catalysts, LLC to the  
Request for Information re Riverside Avenue Site, Newark, Essex County, New Jersey**

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BASF recognizes it has a continuing obligation to provide all relevant information. BASF is continuing its internal investigation, and will supplement these responses, if additional information becomes available.

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**Response to 3.f.**

During its investigation of the period from January 1, 1970 to December 31, 1999, BASF did not discover any information that suggests that BASF Catalysts, LLC may have transported from any facility that was ever owned or operated by BASF Catalysts, LLC and later taken to the Site any containers, regardless of contents or lack thereof.

BASF recognizes it has a continuing obligation to provide all relevant information. BASF is continuing its internal investigation, and will supplement these responses, if additional information becomes available.

**Response to 3.g.**

During its investigation of the period from January 1, 1970 to December 31, 1999, BASF did not discover any information that suggests that BASF Catalysts, LLC may have transported from any facility that was ever owned or operated by BASF Catalysts, LLC and later taken to the Site any drums, regardless of contents or lack thereof

BASF recognizes it has a continuing obligation to provide all relevant information. BASF is continuing its internal investigation, and will supplement these responses, if additional information becomes available.

4. Do you have any reason to believe that any of the following companies may have taken any industrial waste or any hazardous substance from any facility which was ever owned and/or operated by your Company and that such industrial waste or hazardous substance may have been transported to and/or disposed of at the Site:
1. Universal International Industries, Inc.
  2. Jobar Industries, Inc,
  3. Jobar Packaging, Inc.
  4. Frey Industries, Inc.

Please provide a separate Yes or No answer to each of the items, 4.a through 4.d, above. For each Yes answer, please provide the specific basis for your answer, including the materials that you believe may have been transported from your Company to the Site, including chemical characterization, quantities (by volume and/or weight), number of drums or containers etc., the facility from which the material was removed, the hazardous substances in such materials, the personnel and/or haulers involved in each such shipment, the dates of such shipments and all records relating to such shipments.

**Response to 4.1.**

During its investigation of the period from January 1, 1970 to December 31, 1999, BASF did not discover any information that suggests that BASF Catalysts, LLC may have taken any industrial waste or any hazardous substance from any facility which was ever owned and/or operated by BASF Catalysts, LLC and that such industrial waste or hazardous substance may have been transported to and/or disposed of at the Site.

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**BASF Corporation Responses on behalf BASF Catalysts, LLC to the  
Request for Information re Riverside Avenue Site, Newark, Essex County, New Jersey**

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BASF recognizes it has a continuing obligation to provide all relevant information. BASF is continuing its internal investigation, and will supplement these responses, if additional information becomes available.

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**Response to 4.2.**

During its investigation of the period from January 1, 1970 to December 31, 1999, BASF did not discover any information that suggests that BASF Catalysts, LLC may have taken any industrial waste or any hazardous substance from any facility which was ever owned and/or operated by BASF Catalysts, LLC and that such industrial waste or hazardous substance may have been transported to and/or disposed of at the Site.

BASF recognizes it has a continuing obligation to provide all relevant information. BASF is continuing its internal investigation, and will supplement these responses, if additional information becomes available.

**Response to 4.3.**

During its investigation of the period from January 1, 1970 to December 31, 1999, BASF did not discover any information that suggests that BASF Catalysts, LLC may have taken any industrial waste or any hazardous substance from any facility which was ever owned and/or operated by BASF Catalysts, LLC and that such industrial waste or hazardous substance may have been transported to and/or disposed of at the Site.

BASF recognizes it has a continuing obligation to provide all relevant information. BASF is continuing its internal investigation, and will supplement these responses, if additional information becomes available.

**Response to 4.4.**

During its investigation of the period from January 1, 1970 to December 31, 1999, BASF did not discover any information that suggests that BASF Catalysts, LLC may have taken any industrial waste or any hazardous substance from any facility which was ever owned and/or operated by BASF Catalysts, LLC and that such industrial waste or hazardous substance may have been transported to and/or disposed of at the Site.

BASF recognizes it has a continuing obligation to provide all relevant information. BASF is continuing its internal investigation, and will supplement these responses, if additional information becomes available.

5. Do you have any reason to believe that any materials, including any hazardous substances, or any drum or containers of any type may have been removed from any facility which was ever owned and/or operated by your Company and transported to and/or disposed of at the Site?

**Response to 5.**

During its investigation of the period from January 1, 1970 to December 31, 1999, BASF did not

**BASF Corporation Responses on behalf BASF Catalysts, LLC to the  
Request for Information re Riverside Avenue Site, Newark, Essex County, New Jersey**

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discover any information that suggests that any materials, including any hazardous substances, or any drum or containers of any type may have been removed from any facility which was ever owned and/or operated by BASF Catalysts, LLC.

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BASF recognizes it has a continuing obligation to provide all relevant information. BASF is continuing its internal investigation, and will supplement these responses, if additional information becomes available.

6. Identify each individual who assisted or was consulted or who answered on your behalf or on behalf of the Company in the preparation of its response to this Request for Information and specify the question with which each person assisted in responding.

**Response to 6.**

Caroline S. Hudson  
Legal Assistant Sr.  
BASF Corporation  
100 Campus Drive  
Florham Park NJ, 07932

Phone: 973.245.6052

**B. Request for Records:**

7. Please provide copies of all the following which are in the custody or control of your Company:
- a. Every record indicating any transaction, communication, or business dealing with Mr. Tilghman Frey.
  - b. Every record indicating any transaction, communication, or business dealing of any type with Frey Industries, Inc.
  - c. Every record indicating any transaction, communication, or business dealing of any type with Jobar Industries, Inc.
  - d. Every record indicating any transaction, communication, or business dealing of any type with Universal International Industries, Inc.
  - e. Every record indicating any transaction, communication, or business dealing of any type with Riverside Avenue Properties.
  - f. Every record indicating any transaction, communication, or business dealing of any type with Merit Enterprises, Inc.
  - g. Every record indicating any transaction, communication, or business dealing of any type with Industrial Development Corporation.
  - h. Every record indicating any transaction, communication, or business dealing of any type with Industrial Development Association.
  - h. Every record relating to any drums, containers or waste material that your Company has any reason to believe may have been taken by anyone (during the time period from January 1, 1970 to December 31, 1990) from any facility that your Company ever owned or operated which later entered the Site.

**B. Response to Request for Records**

During its investigation of the period from January 1, 1970 to December 31, 1999, BASF did not discover any records responsive to the requests.

**BASF Corporation Responses on behalf BASF Catalysts, LLC to the  
Request for Information re Riverside Avenue Site, Newark, Essex County, New Jersey**

**CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION**

State of \_\_\_\_\_

County of \_\_\_\_\_

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that I am under a continuing obligation to •supplement my response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or my response thereto should become known or available to me.

\_\_\_\_\_  
NAME (print or type)

\_\_\_\_\_  
TITLE (print or type)

\_\_\_\_\_  
SIGNATURE

Sworn to before me this  
day of \_\_\_\_\_,  
2011

\_\_\_\_\_  
Notary Public

BASF Corporation Responses on behalf BASF Catalysts, LLC to the  
Request for Information re Riverside Avenue Site, Newark, Essex County, New Jersey

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of New Jersey

County of Morris

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that I am under a continuing obligation to supplement my response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or my response thereto should become known or available to me.

Nan Bernardo



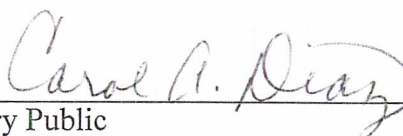
NAME (print or type)

Senior Environmental Counsel

TITLE (print or type)

SIGNATURE

Sworn to before me this 8<sup>th</sup>  
day of June ,  
2011

  
Notary Public

CAROL A. DIAZ  
A Notary Public of New Jersey  
My Commission Expires June 15, 2013